

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF ILLINOIS**

WEST BEND MUTUAL INSURANCE  
COMPANY,

Plaintiff,

v.

WATERLOO COMMUNITY UNIT SCHOOL  
DISTRICT #5 and BONNIE SCHWARZE,

Defendants.

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Case No.: 25-856 JPG

**MEMORANDUM AND ORDER**

This matter comes before the Court on plaintiff's Notice of Voluntary Dismissal (Doc.9), pursuant to Federal Rule of Civil Procedure 41(a)(1)(A)(i). Rule 41(a)(1)(A)(i) allows a plaintiff to dismiss an action without a court order at any time before the opposing party serves an answer or a motion for summary judgment. The defendant has not served an answer or motion for summary judgment in this case. Because the plaintiff has an absolute right to dismiss this case at the present time, the Court finds this case is **DISMISSED without prejudice** and **DIRECTS** the Clerk of Court to close the case.

DATED: 6/23/2025

s/J. Phil Gilbert  
UNITED STATES DISTRICT JUDGE